

# One Hundred Seventh Congress of the United States of America

## AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,  
the third day of January, two thousand and one*

## An Act

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, for military functions administered by the Department of Defense, and for other purposes, namely:

### DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS, 2002

#### TITLE I

#### MILITARY PERSONNEL

##### MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$23,752,384,000.

##### MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$19,551,484,000.

##### MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel

this heading, \$12,750,000 shall be available only to support the dismantling and disposal of nuclear submarines and submarine reactor components in the Russian Far East.

This division may be cited as the “Department of Defense Appropriations Act, 2002”.

## DIVISION B—TRANSFERS FROM THE EMERGENCY RESPONSE FUND PURSUANT TO PUBLIC LAW 107–38

The funds appropriated in Public Law 107–38 subject to subsequent enactment and previously designated as an emergency by the President and Congress under the Balanced Budget and Emergency Deficit Control Act of 1985, are transferred to the following chapters and accounts as follows:

### CHAPTER 1

#### DEPARTMENT OF AGRICULTURE

##### OFFICE OF THE SECRETARY

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Office of the Secretary”, \$80,919,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

##### AGRICULTURAL RESEARCH SERVICE

###### SALARIES AND EXPENSES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Salaries and Expenses”, \$40,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

###### BUILDINGS AND FACILITIES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Buildings and Facilities”, \$73,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

##### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

###### SALARIES AND EXPENSES

###### (INCLUDING TRANSFER OF FUNDS)

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Salaries and Expenses”, \$105,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38, of which \$50,000,000 may be transferred to and merged with the Agricultural Quarantine Inspection User Fee Account.

###### BUILDINGS AND FACILITIES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Buildings and Facilities”,

SEC. 404. In the Fiscal Year 2002 District of Columbia Appropriations Act under the heading “Administrative Provisions, Payments for Representation of Indigents” under subsection (c), strike all after “March 1, 2002.” through “‘3600’.”.

## CHAPTER 5

### DEPARTMENT OF DEFENSE—CIVIL

#### DEPARTMENT OF THE ARMY

#### CORPS OF ENGINEERS—CIVIL

#### OPERATION AND MAINTENANCE, GENERAL

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Operation and Maintenance, General”, \$139,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

### DEPARTMENT OF THE INTERIOR

#### BUREAU OF RECLAMATION

#### WATER AND RELATED RESOURCES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Water and Related Resources”, \$30,259,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

### DEPARTMENT OF ENERGY

#### ATOMIC ENERGY DEFENSE ACTIVITIES

#### NATIONAL NUCLEAR SECURITY ADMINISTRATION

#### WEAPONS ACTIVITIES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, and for other expenses to increase the security of the Nation’s nuclear weapons complex, for “Weapons Activities”, \$131,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

#### DEFENSE NUCLEAR NONPROLIFERATION

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, and for other expenses to increase the security of the Nation’s nuclear weapons complex, for “Defense Nuclear Nonproliferation”, \$226,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

## ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

## DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for “Defense Environmental Restoration and Waste Management”, \$8,200,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

## OTHER DEFENSE ACTIVITIES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, and for other expenses necessary to support activities related to countering potential biological threats to civilian populations, for “Other Defense Activities”, \$3,500,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38.

## INDEPENDENT AGENCY

## NUCLEAR REGULATORY COMMISSION

## SALARIES AND EXPENSES

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, and for other expenses to increase the security of the Nation’s nuclear power plants, for “Salaries and Expenses”, \$36,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107–38: *Provided*, That the funds appropriated herein shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214.

## GENERAL PROVISIONS, THIS CHAPTER

SEC. 501. Of the funds provided in this or any other Act for “Defense Environmental Restoration and Waste Management” at the Department of Energy, up to \$500,000 may be available to the Secretary of Energy for safety improvements to roads along the shipping route to the Waste Isolation Pilot Plant site.

SEC. 502. NUTWOOD LEVEE, ILLINOIS. The Energy and Water Development Appropriations Act, 2002 (Public Law 107–66) is amended under the heading “Title I, Department of Defense—Civil, Department of the Army, Corps of Engineers—Civil, Construction, General” by inserting after “\$3,500,000” but before the “.”: *Provided further*, That using \$400,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, may initiate construction on the Nutwood Levee, Illinois project”.

SEC. 503. The Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended as follows:

(1) by inserting in section 4(c) after “2000,” and before “costs” the following: “and the additional \$32,000,000 further authorized to be appropriated by amendments to the Act in 2001,”; and

(2) by inserting in section 5 after “levels),” and before “plus” the following: “and, effective October 1, 2001, not to

exceed an additional \$32,000,000 (October 1, 2001, price levels).”.

SEC. 504. JICARILLA, NEW MEXICO, MUNICIPAL WATER SYSTEM. Public Law 107-66 is amended—

(1) under the heading of “Title I, Department of Defense—Civil, Department of the Army, Corps of Engineers—Civil, Construction, General”—

(A) by striking “*Provided further*, That using \$2,500,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with a final design and initiate construction for the repair and replacement of the Jicarilla Municipal Water System in the town of Dulce, New Mexico.”; and

(B) insert at the end before the period the following: “: *Provided further*, That using funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to transfer \$2,500,000 to the Secretary of the Interior for the Bureau of Reclamation to proceed with the Jicarilla Municipal Water System in the town of Dulce, New Mexico”; and

(2) under the heading of “Title II, Department of the Interior, Bureau of Reclamation, Water and Related Resources, (Including the Transfer of Funds)”, insert at the end before the period the following: “: *Provided further*, That using \$2,500,000 of the funds provided herein, the Secretary of the Interior is directed to proceed with a final design and initiate construction for the repair and replacement of the Jicarilla Municipal Water System in the town of Dulce, New Mexico”.

SEC. 505. (a) OCCOQUAN RIVER, VIRGINIA.—The project for navigation, Occoquan Creek, Virginia, authorized by the first section of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved September 19, 1890 (26 Stat. 440), is modified to direct the Secretary of the Army—

(1) to deepen the project to a depth of 9 feet; and

(2) to widen the project between Channel Marker Number 2 and the bridge at United States Route 1 to a width of 200 feet.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated to carry out the project referred to in subsection (a) by the Energy and Water Development Appropriations Act, 2001 (as enacted into law by Public Law 106-377), shall be made available to carry out the modifications to the project under subsection (a).

(c) PROJECT REDESIGNATION.—

(1) IN GENERAL.—The project referred to in subsection (a) shall be known and designated as the “project for navigation, Occoquan River, Virginia”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the project referred to in subsection (a) shall be deemed to be a reference to the “project for navigation, Occoquan River, Virginia”.

This Act may be cited as the “Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002”.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*